

BEFORE THE MONTANA STATE AUDITOR
AND COMMISSIONER OF INSURANCE AND SECURITIES
HELENA, MONTANA

IN THE MATTER OF:) Case No. SEC-2010-82
)
ACN, INCORPORATED)
1000 Progress Place)
Concord, NC 28025,)
)
GREGORY PROVENZANO, individually)
and in his capacity as President)
of ACN, Inc.; ROBERT STEVANOVSKI,) (RE: MOTION TO VACATE
individually and in his capacity) TEMPORARY CEASE AND
as Chairman of ACN, Inc.; ANTHONY) DESIST ORDER AND
CUPISZ, individually and in his) MOTION TO VACATE
capacity as Vice President of) SCHEDULING ORDER)
ACN, Inc.; and MICHAEL CUPISZ,)
individually and in his capacity)
as Vice President of ACN, Inc.,)
)
Respondents.)

A September 14, 2010, "Motion to Vacate Temporary Cease and Desist Order and Motion to Vacate Scheduling Order" has been received from the attorney for the Commissioner of Insurance/Securities (Department) requesting issuance of an order: (a) vacating the Temporary Cease and Desist Order; (b) vacating the current scheduling order set forth in the August 13, 2010, Notice of Hearing; and (c) setting a date for a scheduling conference at the earliest date available for purposes of establishing a new hearing schedule. According to the Department's motion, the Respondents have no objection to this motion.

Based on the foregoing, IT IS HEREBY ORDERED AS FOLLOWS:

1. The September 14, 2010, "Motion to Vacate Temporary Cease and Desist Order and Motion to Vacate Scheduling Order" filed by the Department is granted.

2. The Temporary Cease and Desist Order is vacated.

3. The schedule set forth in the August 13, 2010, Notice of Hearing is hereby vacated.

4. A telephonic scheduling conference of all parties and the undersigned is set for Wednesday, October 6, 2010, at 9:00 a.m. (Mountain Daylight Time). Susan Paulson-Davis, Paralegal for the legal counsel for the Department shall arrange and set up this telephonic scheduling conference.

Dated this 16th day of September, 2010.


Michael J. Rieley, Hearing Examiner

CERTIFICATE OF SERVICE

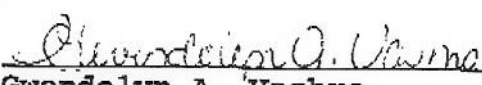
I do hereby certify I served a copy of the foregoing Order (Re: Motion to Vacate Temporary Cease and Desist Order and Motion to Vacate Scheduling Order) upon all parties of record on the 16th day of September, 2010, by mailing, faxing, e-mailing, or hand delivering a copy thereof to:

Ms. Roberta Cross Guns
Mr. Jameson C. Walker
State Auditor's Office
840 Helena Avenue
Helena, MT 59601

Ms. Linda M. Deola
Reynolds, Motl & Sherwood, PLLP
401 North Last Chance Gulch
Helena, MT 59601

Mr. Grant Woods
Grand Woods Law
Two Renaissance Square
40 N. Central Ave., Suite 2250
Phoenix, AZ 85004

Mr. Robert T. Stephan
Attorney at Law
12548 W. 123rd Street
Overland Park, KS 66213


Gwendolyn A. Vashro